

# EXHIBIT D



**U.S. Immigration  
and Customs  
Enforcement**

December 27, 2013

Ghita Schwarz  
Center for Constitutional Rights  
666 Broadway, 7<sup>th</sup> Floor  
New York City, NY 10012

Dear Sir or Madam:

The Department of Homeland Security has received your letter appealing the adverse determination of your Freedom of Information Act/Privacy Act (FOIA/PA) request by U.S. Immigration and Customs Enforcement seeking all information on the Detention Bed Mandate and/or Detention Quota and its impact on detention policy and detention contracting decisions nation-wide from June 2006 to present. Including copies of executed agreements related to detention facilities or detention beds, between ICE and private prison corporations, local, state, city or municipal governments. Communications regarding contract renewal, supplemental agreements, addendums and riders. Copies of all regularly generated statistical reports on detention; enforcement prioritization and detained population; detention by geographic location. Copies of cumulative data on numerical payouts to private prison corporations by ICE or DHS. Reports and memoranda reporting on the Detention Bed Mandate and Detention-related Appropriations Decisions to/from the Secretary of Homeland Security. Records about releases from detention due to budget constraints or loss of funding. Your appeal, dated December 19, 2013 was received on December 23, 2013.

On behalf of the Chief for the Government Information Law Division, we acknowledge your appeal request of **2014FOIA3585** and are assigning it number **OPLA14-1042** for tracking purposes. Please reference this number in any future communications about your appeal.

A high number of FOIA/PA requests have been received by the Department. Accordingly, we have adopted the court-sanctioned practice of generally handling backlogged appeals on a first-in, first-out basis.<sup>1</sup> While we will make every effort to process your appeal on a timely basis, there may be some delay in resolving this matter. Should you have any questions concerning the processing of your appeal, please contact ICE FOIA at (866) 633-1182, or by email at [ice-foia@dhs.gov](mailto:ice-foia@dhs.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "A. Meltzer".  
Abby Meltzer  
Acting Chief  
Government Information Law Division  
ICE Office of the Principal Legal Advisor  
Department of Homeland Security

<sup>1</sup> Appeals of expedited treatment denials will be handled on an expedited basis.

Hasler  
12/30/2013  
Mailed From 20743  
US POSTAGE

\$00.460  
For Private Use  
\$300 Penalty  
US OFFICIAL MAIL



U.S. Immigration  
and Customs  
Enforcement  
Freedom of Information Act Office  
500 12th St., S.W., MS 5009  
Washington, D.C. 20536-5009

---

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE \$300

